IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 225 of 2003 (M/B)

Gulab Singh Nayak,
S/o Jai Singh,
R/o Mohalla Bhatti, Amroha,
Bara Bazar Amroha.
District J.P. Nagar, U.P. …… Petitioner

Versus

1. State of Uttaranchal,
   through Education Secretary, Dehradun.
2. District Magistrate,
   Nainital.
3. Principal,
   M.B. Degree College, Haldwani. …… Respondents

Mr. A.K. Bisht, Advocate for the petitioner.
Mr. N.C. Gupta, Standing Counsel for the State of Uttaranchal.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. P.C. Pant, J.

RAJEEV GUPTA, C.J. (Oral)

Mr. A.K. Bisht, Advocate for the petitioner.

Mr. N.C. Gupta, Standing counsel for the respondents.

2. Petitioner Gulab Singh Nayak has filed this writ petition for the following reliefs:

> "(i) Writ, rule, order or direction in the nature of mandamus directing and commanding the respondents to pass an ad-interim mandamus commanding and directing the respondents to conduct an inquiry in the self immolation incident of deceased Bhunesh Bisht took place on 23.12.2002 in the M.B. Degree College, Haldwani, District Nainital and to produce inquiry report before this Hon'ble Court.
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> (ii) Writ, rule order or direction in the nature of mandamus directing and commanding the respondent no.1 to punish suitably to the culprits of self immolation incident dated 23.12.2002.

(iii) Issue any writ, rule, order or direction, as this Hon'ble Court may deem fit and proper in the circumstances of the case.

(iv) To award the cost to the petitioners.

3. The petitioner was seeking an inquiry in the incident of self-immolation by Bhunesh Bisht.

4. In the counter affidavit filed on behalf of the respondents, it has categorically been stated that vide order dated 02.01.2003, State of Uttaranchal has appointed a Three Member Committee to enquire into the above incident of self-immolation.

5. In view of the above development, the writ petition, in our opinion, now, has become infructuous.

6. The writ petition, therefore, is dismissed as infructuous.

(P.C. Pant, J.) **(Rajeev Gupta, C.J.)**
13.04.2006 **13.04.2006**

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